

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, May 13, 2003, the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

Commissioner Rowe was absent and left some written votes with the Commission Secretary. Other votes were left open for him.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(190) In the matter of T-03.27.OTSC; On April 15, 2003 an Order to Show Cause was issued to Charles R. Lee dba City Transfer, Missoula, Montana for failure to maintain required cargo and liability insurance filings. The Order to Show Cause was received by the carrier, via certified mail on April 17, 2003. To date, the required insurance filings have not been received.

Class B - Household goods (as defined by Commission) from Missoula and points within a radius of 10 miles in any direction from said city to points and places in the State of Montana and from all points and places in the State of Montana to Missoula and points within a radius of 10 miles in any direction from said city.

SUB B Class C - Property within the City of Missoula, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Brainard moved to cancel the certificate. Commissioner Jergeson seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(191) In the matter of TN2186; Donald A. Hurley dba Arrive in Style, Billings, Montana requests permission to suspend PSC No. 9396 for a six month period, April 30, 2003 to October 30, 2003.

Class B - Passengers by classic car between all points and places in Bighorn, Carbon, Golden Valley, Musselshell, Stillwater, and Yellowstone Counties. Limitations: (1) Transportation is restricted to passenger vehicles having a capacity not to exceed six (6) passengers. (2) Transportation is limited to classic vintage automobile service only. (3) Transportation as a bus, jitney, or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance. (5) The hiring of antique and classic car service must be for entire vehicle, and solicitation of individual passengers to constitute a load is prohibited. (6) Antique, classic and stretch limousine are prohibited.

SUB A Class B - Passengers between all points and places in Yellowstone and Sweetgrass Counties.

Limitations: 1) Transportation of Burlington Northern train crews is prohibited. 2) Transportation is limited to five (5) passengers or less per vehicle and further limited to limousine transportation only. 3) Reservations for limousine service must be made at least 24 hours in advance. 4) Transportation as a taxi or jitney is prohibited.

Commissioner Stovall moved to approve the request for suspension for six months. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

(192) In the matter of the approval of Commission Minutes; Commissioner Jergeson moved to approve the Commission Minutes for the week of May 5, 2003. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Monica Tranel, Kate Whitney

(193) In the matter of the Commission's discussion of the Ongoing Section 271 Compliance Monitoring of Qwest Corporation, Docket No. D2003.4.45; Commissioner Brainard moved to issue the notice of CLEC Forum and attached issues. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0. The vote was left open for Commissioner Rowe, who later cast his vote aye, making the vote unanimous.

APPEARANCE

Martin Jacobson, Dave Burchett

(194) In the matter of the Commission's discussion of Montana-Dakota Utilities Gas Rate Case, Pilot Lighting Compliance Tariff, Docket No. D2002.5.59; Commissioner Jergeson moved to reject MDU's compliance filing with regard to the pilot light issue with direction to MDU to file in accordance with the commission's order which is to allow two free pilot lighting services per year, 24 hours per day, 7 days per week, with the exception of LIEAP customers. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

APPEARANCE

Robin McHugh, Wayne Budt, Kate Whitney

(195) In the matter of the Commission's discussion of staff out-of-state travel; Commissioner Jergeson moved to approve staff travel for Marla Larson to ROC, Monica or Robin to the attorneys' conference, and financially reallocate as necessary from commissioner travel to cover it. Commissioner Brainard seconded the motion, which passed unanimously. Commissioner Rowe voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, May 14, 2003, the following members were present:

Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

Commissioner Rowe was absent and did not leave a vote on the matter.

APPEARANCE
Monica Tranel, Mike Lee

(196) In the matter of the Commission's discussion of State Implementation of the Federal Communications Commission's Triennial Review, Docket No. D2003.4.46; Commissioner Jergeson moved to bifurcate the 90 day and 9 month proceedings, and open a new docket for the 9 month proceeding. Commissioner Stovall seconded the motion, which passed with a vote of 4 to 0.

Commissioner Jergeson moved to issue the notice of opportunity to intervene, in both dockets (the 90 day and the 9 month). Commissioner Brainard seconded the motion, which passed with a vote of 4 to 0.

There being no further business to come before the Commission the meeting was adjourned.

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)